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UNITED STATES DISTRICT COURT  
Middle District of North Carolina

PAUL FRANKLIN CASSELL,

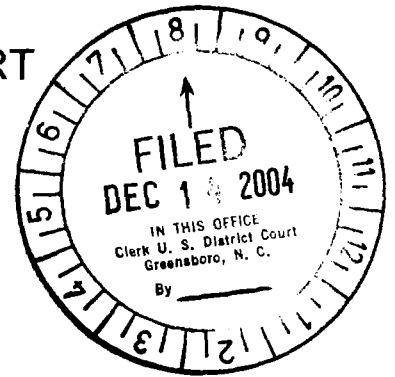
Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

#1:03CV00809



**O-R-D-E-R**

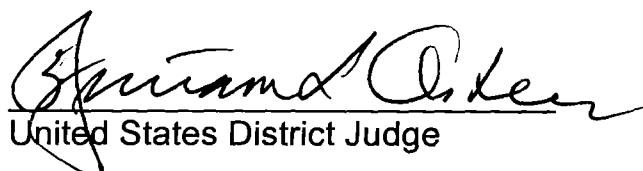
On June 8, 2004, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and notice was served on Plaintiff and a copy was given to the court.

Within the time limitation set forth in the statute, Plaintiff objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that Defendant's motion to dismiss (docket no. 8) be **GRANTED**. A judgment dismissing this action will be entered contemporaneously with this Order.

December  
August 14, 2004

  
United States District Judge